CHARLES E. MILLER 10 East 13th Street Frederick, Maryland

IN THE CIRCUIT COURT

ROSALIE E. MILLER and

FOR FREDERICK COUNTY

ROBERT E. MILLER, JR., INFANT 5 East South Street

IN EQUITY

Frederick, Maryland

BILL OF COMPLAINT FOR PARTITION OF REAL ESTATE

TO THE HONORABLE, THE JUDGES OF THE CIRCUIT COURT FOR FREDERICK COUNTY, SITTING AS A COURT OF EQUITY:

The Bill of Complaint for Partition of Real Property of Charles E. Miller, by Alton Y. Bennett and Franklin W. Martz, his Solicitors, respectfully shows unto your Honors:

FIRST: That your Complainant, Charles E. Miller, is seized of a two-third undivided interest; Defendant Rosalie Æ. Miller of a one-ninth undivided interest and infant Defendant Robert E. Miller, Jr. of a two-ninth undivided interest in and to all that piece or parcel of land situated on the north side of East South Street in Frederick City, Frederick County, Maryland, improved with a dwelling designated as No. 5 on said street, fronting on said street 26'5", more or less, and running back in a northerly direction for a depth of 35'9", more or less, and being the same property described in a deed from Sherman P. Bowers, et ux., to Charles E. Miller and Ella M. Miller, his wife, dated the 28th day of April, 1931 and recorded in Liber 378, folio 405, one of the Land Records of Frederick County, Maryland; a duly certified copy of said deed is filed herewith and made a part hereof, marked "Exhibit A".

- That Charles E. Miller died on the 14th day of October, 1952 whereupon Ella M. Miller, his wife, surviving tenant by the entirety, acquired the aforementioned property by operation of law.
- That on the 19th day of May, 1957, Ella M. Miller died intestate seized and possessed of said property leaving as her only heirs at law and next of kin three sons, all adults, namely; Charles E. Miller, Complainant, John H. Miller and Robert E. Miller who acquired the property by descent.